

SEP 11 2008

# KRIEG · DEVAULT LLP

## ATTORNEYS AT LAW

### FAX COVER PAGE

DATE: September 11, 2008

PAGES INCLUDING THIS PAGE: 26

TO: Examiner Amradha Ramana, Group Art Unit 3733  
 COMPANY: U.S. Patent and Trademark Office

FAX NUMBER: 571-273-8300  
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FROM: Douglas A. Collier

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RE: Response to Office Action for U.S. Patent Application No. 10/603,471 to Larry Gause et al.

COMMENTS: I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office at 571-273-8300 on:

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PTO/SB/21 (09-04)

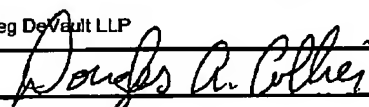
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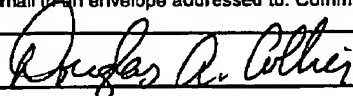
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/603,471
	Filing Date	June 25, 2003
	First Named Inventor	Larry Gause et al.
	Art Unit	3733
	Examiner Name	Anuradha Ramana
Total Number of Pages in This Submission	Attorney Docket Number	MSDI-259/PC757.00

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Fax Cover Sheet
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Krieg Devault LLP		
Signature			
Printed name	Douglas A. Collier		
Date	September 11, 2008	Reg. No.	43,556

CERTIFICATE OF TRANSMISSION/MAILING			
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Signature			
Typed or printed name	Douglas A. Collier	Date	September 11, 2008

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If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

SEP 11 2008

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of:	)	Before the Examiner:
Larry Gause et al.	)	Anuradha Ramana
	)	
Application Serial No. 10/603,471	)	Group Art Unit: 3733
	)	
Filed: June 25, 2003	)	Attorney Ref. No.:
	)	MSDI-259/PC757.00
SYSTEM FOR STABILIZING A PORTION	)	
OF THE SPINE	)	September 11, 2008

**RESPONSE TO NON-FINAL OFFICE ACTION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Non-final Office Action dated June 11, 2008, please enter the following remarks. No fees or extensions of time are believed due for consideration of the enclosed. However, please provide any extensions of time necessary and charge any fees which may be due, or credit any overpayment, to Deposit Account No. 12-2424, but not to include any payment of issue fees.

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Response to Non-Final Office Action  
Application Serial No. 10/603,471  
Atty Docket No. MSDI-259/PC757.00  
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